

[Counsel Listed on Signature Pages]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re JDS UNIPHASE CORPORATION
SECURITIES LITIGATION

Master File No. C-02-1486 CW (EDL)

This Document Relates To:

ALL ACTIONS

**STIPULATION AND ORDER ON
SCHEDULE FOR MOTION
REGARDING SEQUENCING OF
WITNESSES AT TRIAL AS MODIFIED**

1 WHEREAS, on October 9, 2007, the Court held a Pre-Trial Conference;

2 WHEREAS, at the Pre-Trial Conference, the Court provided the parties guidance
3 concerning witness testimony at trial, including guidance as to the sequencing of live witness
4 testimony;

5 WHEREAS, the Court directed the parties to meet-and-confer as to which witnesses each
6 side will call during its case-in-chief;

7 WHEREAS, as instructed by the Court, the parties met-and-conferred on October 11,
8 2007, but were unable to reach agreement on all witnesses, including the Individual Defendants;

9 WHEREAS, because the parties have reached an impasse on this issue, and because the
10 parties require a resolution of this dispute to further develop their trial strategies, and because the
11 issue affects the travel plans of at least some of the witnesses, the parties agree that the matter
12 should be resolved as soon as possible through expedited briefing to the Court;

13 IT IS HEREBY STIPULATED by and between the parties, through their counsel of
14 record, that no later than 12:00 noon on October 13, 2007, Defendants may submit a motion
15 regarding the sequencing of live witness testimony, and no later than 9:00 a.m. on October 15,
16 2007, Plaintiffs may submit a response to Defendants' motion.

17 Dated: October 12, 2007

MORRISON & FOERSTER LLP

18
19 By: /s/ Philip T. Besirof
20 Philip T. Besirof

21 Attorneys for Defendants
22 JDS Uniphase Corporation, Jozef
23 Straus, Anthony R. Muller, and
24 Charles J. Abbe
25
26
27
28

1 Dated: October 12, 2007

HELLER EHRMAN LLP

2
3 By: /s/ Michael L. Charlson
Michael L. Charlson

4
5 Attorneys for Defendant
Kevin Kalkhoven

6 Dated: October 12, 2007

LABATON SUCHAROW & RUDOFF LLP

7
8 BERMAN DEVALERIO PEASE TABACCO
BURT & PUCILLO

9
10 By: /s/ Barbara J. Hart
Barbara J. Hart

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12 Liaison Counsel for Lead Plaintiff
Connecticut Retirement Plans and Trust
13 Funds

14 PURSUANT TO STIPULATION, IT IS SO ORDERED, **EXCEPT THE PARTIES**
15 **SHALL FILE A JOINT STATEMENT OUTLINING THEIR POINTS OF AGREEMENT**
16 **AND INCLUDING EACH PARTY'S POSITION AND PROPOSAL REGARDING THE**
17 **DISPUTED WITNESSES. THE JOINT STATEMENT SHALL BE FILED NO LATER**
18 **THAN 9:00 A.M. ON OCTOBER 15, 2007.**

19 10/12/07

20 Dated: _____



21 _____
HONORABLE CLAUDIA WILKEN
22 United States District Court Judge
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